

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**SEALED PLAINTIFF 1,**

**and**

**SEALED PLAINTIFF 2,**

**Plaintiffs,**

**v.**

**Civil Action No. 3:22cv670**

**PATRIOT FRONT, *et al.*,**

**Defendants.**

**ORDER**

This matter comes before the Court on Defendants Nathan Noyce, Thomas Dail, Paul Gancarz, Daniel Turechi, and Aedan Tredinnick’s (“Defendants”) Notice of Supplemental Authority (the “Notice”). (ECF No. 94.) In the Notice, Defendants contend that the Supreme Court’s recent opinion *Counterman v. Colorado*, No. 22-138 (June 27, 2023), “is directly relevant to issues presently before the Court on [D]efendants’ motion[s] to dismiss.” (ECF No. 94, at 1.) Defendants further assert that they “stand ready, as instructed by the Court, to present supplemental briefing on the impact of the *Counterman* decision on the issues presented by [D]efendants’ motion[s].” (ECF No. 94, at 2.)

Upon due consideration, and in the interest of judicial economy, the Court ORDERS the Defendants to file an amended motion consolidating all issues.<sup>1</sup> Defendants SHALL FILE their

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<sup>1</sup> In their motions to dismiss, Defendants Daniel Turechi, Aedan Tredinnick, and Paul Gancarz “adopt[ed] and incorporate[ed] the memorandum in support of the 12(b)(6) motion to dismiss filed by defendants Nathan Noyce and Thomas Dail on March 1, 2023 ([ECF No. 67]).” (ECF No. 76, at 1; ECF No. 78, at 1.)

consolidated Amended Motion to Dismiss by no later than July 24, 2023. Any consolidated responses SHALL be filed by no later than August 7, 2023, and any replies by August 14, 2023.

The Defendants' motions to dismiss are DENIED AS MOOT. (ECF Nos. 66, 75, 77.)

It is SO ORDERED.

Date: 07/07/23  
Richmond, Virginia

  
\_\_\_\_\_/s/  
M. Hannah Lauck  
United States District Judge